

REMARKS

For the record, it is noted that the USPTO mailed the Decision on Appeal to the law firm of Shoemaker & Mattare, LTD., who has no authority either to act in this case, or to receive any correspondence related thereto. The mailing of the Board's Decision to Shoemaker & Mattare was in error, and therefore, the USPTO is requested to correct any inconsistencies in its records so that all future correspondence regarding this case is mailed to the address set forth in the declaration originally filed with this application, namely:

AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P.O. Box 7599
Loveland, Colorado 80537-0599

Applicants request that the time for taking action in response to the Decision on Appeal be extended by the USPTO, if necessary, in view of the fact that the USPTO mailed the decision to a party not associated with this application.

Applicants disagree with the decision by the Board, and in particular, its exercise of hindsight reconstruction in modifying the main reference (Kobayashi et al.) to remove the very Z-axis pulley mechanisms that its entire switch is based upon, and in substituting, against its teachings, collimating lenses, as allegedly suggested by Mock.

Nevertheless, in order that Applicants obtain a patent including the allowed claims, this amendment has been filed canceling the non-allowed claims.

No additional fee is believed to be due at this time.

Respectfully submitted,



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